Previous references.

(15)

File No. 55

1903-04

Serial Nos. 1–4

(Police)

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos.

Part B for

SUBJECT.

Prosecution of parties concerned in an Infant Marriage in Kunnathunad Taluk

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Table of Contents

1. G.O. No. 201, dated 11th April 1904 from the Superintendent of Police Recommending the prosecution of the parties concerned in the infant marriage that took place at Nagaseruvu, Mukkattumeru Taluk.

2. G.O. No. 1618-19 dated 12-2-04 To Superintendent of Police Ernakulam stating that it is inexpedient to direct the prosecution of the father of the bride 4 years after the date of the marriage and that the great delay in investigating this case is also

G. R. S. 58 condonable & the notice taken by him of the conduct of the Inspector responsible for it should be reported to Government

3.

Reporting that the Inspector Samad Khan is fined Rs 10 for the great delay in investigating the Nagarauna Infanticide Case.

Recorded the above.

Office of the Dewan of Mysore

File No. (if any)

Directions.

No., date and purport of receipts to be entered in red, and office note in black ink in order of dates.—To be written only on one side, and inside the line of margin.

R/B

Office Note.

Branch Judicial

Subject Infant marriage —

Letter No 4521/274 dated 2nd February 1904 from the Inspector Genl of Police reporting the occurrence on the 21st June 1900 of the a case of - - - - at Nagasandra in the Nelakal. -mara Taluk

---

In the case above referred to, an infant girl named Lakshamma, daughter of one Panduranga Rao, aged about 6 years, was married to a boy named Sreenivasa raya, aged about 12 years on the 21st June 1900, at Nagasandra in the Nela- -Kalmara Taluk.

From the records of the case submitted by the Inspector Genl of Police, it will be seen that on the 6th September 1900, the Amildar of the Nelakalmara Taluk (Mr C. Krishnama Naidu), report-

reported the case to
the orders of the Dy. Coll.
who in turn referred the
matter to the Asst Supdt of
Police (Mr. Dy. V. Krishnamurthy)
on the 18th idem. The Asst
Supdt of Police, asked the
Amildar on the 27th Septr
1900, to furnish the horoscope
of the girl together with an
extract from the Birth
Register, and also any
other evidence for proving
the age of the girl. The
records do not show
that any further action
was taken in the matter
till the 25th May 1903, when
the Dy. Collr during his
visit of inspection of notice
the pendency. The Police
Inspector (Ismahil Khan)
who was in possession of
the records of the case
has explained that this
was delayed as the extract
from the Birth Registe-
of the village of Kambadur
in the Kalyanadurga Taluk
in which the girl was born
could not be obtained
though several requisitions
were

were made to the Kalyana
-drug Dalvik authorities.

The Inspector General
of Police states that
the Dt Magte has, contrary
to the standing order on
the subject, forwarded
the records with a
recommendation that
the prosecution may be
dropped as the oral testimony
that is available as regards
the exact age of the girl
cannot be relied upon
especially after such
a lapse of time, in the
absence of documentary
evidence; and that this
action of the Dt Magte
is not right, as he will
be the authority who will
try the case

The Dy Ch considers that
as there is documentary
evidence, namely, the copy
of the horoscope of the
girl, produced by the father
of the girl regarding the
unde

x From this the age
of the girl on the date
of the marriage
was 4 years, 11 months
+ 2 days -

under age of the girl, the prosecution of Pandurang Rao - the father of the girl who is the only one of the persons who caused the ~~t~~ marriage in question living in Mysore Territory may be sanctioned.

Submitted for orders

3/2/04 It seems inexpedient to sanction a prosecution nearly four years after the event. The Dist Police may be asked to report the action taken by him & the Inspector concerned in delaying the investigation.

Vide draft put up, wherein the instructions of the District Magistrate in expressing an opinion on a case which he would subsequently have to try, is pointed out-

D/3/04 Secy

Subd to the Dewan with draft. 7/2/04

15769/8.2.04

draft issued -

In para 8 of Progs: No 618-9 dated the 12th February 1904, the

the Inspector General of Police was requested to report for the information of the Govt the notice taken by him, of the conduct of the Police Inspector responsible for the discreditable delay -

In reply, the Inspector Genl reports that the Inspector of the Molakalmuru Taluk who is responsible for the delay will be fined Rs 10/-

Submitted for orders with a draft recording the Govt's letter

Sent to the Dewan with a draft 7/5/04

† Esmail Khan

17596
9 5.04.

PROCEEDINGS OF THE GOVERNMENT OF MYSORE.

READ—

Letter No. 4521 dated 2nd February 1904

from the Inspector General of Police

reporting that on the 21st June last an infant girl of aged about 6 years

named Lakshamma, daughter of

Pandu Ranga Rao,

was married to one Sreenivasa Reeya

at Nagasandra in the Molakalmuru

taluk, and recommending the prose-

cution of Pandu Ranga Rao for an offence

under the Infant Marriage Prevention Regn.

ORDER THEREON No. ——— DATED BANGALORE ——— 189

The Govt consider it inexpedient to direct the prosecution of the father of the bride nearly four years after the date of the marriage.

2. The Dy. Comr. will be informed that in the circumstances of the case, it was improper on his part to have composed the offence when the matter was reported to him.

3. The great delay in submitting this case is disapproved.

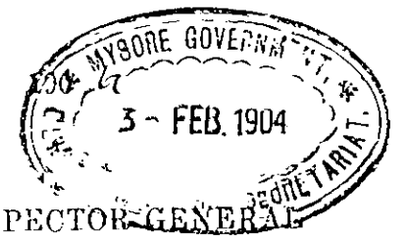
Under the provisions of Section 8 of Regulation X of 1894, the Government are pleased to direct the prosecution, for offences under Section 3 of the Mysore Infant Marriages Prevention Regulation, of the marginally noted persons who caused the marriage of the infant girl named ——— with a ——— named ——— or knowingly aided and abetted the same, and of the said husband ———

Put up drafts

The Dy. Comr. will be informed that in the circumstances of the case, it was improper on his part to have composed the offence when the matter was reported to him.

The great delay in submitting this case is disapproved.

J. 1188



From

THE INSPECTOR-GENERAL
OF POLICE IN MYSORE.

To

THE SECRETARY TO THE GOVT. OF MYSORE,
GENERAL AND REVENUE DEPTS.

Dated

Despatched 2—2-1904

Received

General No. 4521/
No. 276

Enclosure No. one file.

Recommending the prosecution of the parties concerned in the infant marriage that took place at Aga Sandra, Mola Kalmuru Taluk on 21-6-04

Inv
S. 2 ...
... a draft/letter ...
...

3/2/04

EGCPB—150—16-10-03

CP 201

OFFICE OF THE

INSPECTOR GENERAL OF POLICE IN MYSORE.

No. 4521 Dated, Bangalore, 29th January 1904.

Enc. 274 one letter. 2—2—1904

From.

Rao Bahadur C. Madiah Esquire,
THE INSPECTOR GENERAL OF POLICE IN MYSORE.

To H.V.Nanjundayya Esquire, M.A.M.L.

THE SECRETARY TO THE GOVERNMENT OF MYSORE,
GENERAL AND REVENUE DEPARTMENTS.

SIR,

I have the honor to state that on the 21st. June 1900 an infant girl named Lukshmamma, aged about 6 years was married to a boy named Srinivasaroya aged about 12 years at Nagasandra in the Molkalmuru Taluk.

It will be seen from the records that the parties are Brahmins by caste and that the marriage was arranged and celebrated by Panduranga Rao, the father of the bride and Seenappa and Jappa, the adoptive grandfather and the maternal uncle respectively of the bridegroom. Narasia-Char and Shama Char officiated as Purohits during the marriage.

All the above persons and the witnesses examined have stated that the girl was under six years of age and the father of the girl has produced a copy of her horoscope from

from which it will be seen that the girl was 4 years ,11 ----- months, and 2 days at the time of the marriage, the year - of birth being Manmatha, (corresponding to 19th. July 1875). The girl is said to have been born at Kumbadur in the Kudligi Taluk and the register of births and deaths of the village - could not be secured in spite of repeated requisitions for - the same. This fact is stated to have occasioned delay in - closing the investigation of the case.

Of the persons above named who caused the -- marriage of the infant girl, only Panduranga Rao, the father- of the bride lives in the Molkalmuru Taluk being a Shanbogue there, and the others reside outside the Province in the ---- Bellary District.

THe District Magistrate has, contrary to the - standing orders on the subject, forwarded the records with - a recommendation that the prosecution may be dropped as the- oral testimony that is available as regards the exact age - of the girl cannot be relied upon especially after such a -- lapse of time in the absence of documentary evidence. The -- District Magistrate is not right in sending up the papers as - he will be the authority who will try the case. This may be -- pointed out to him.

Asthere is documentary evidence, namely, the - copy of the horoscope of the girl, produced by the father ---

regarding

regarding the under-age of the girl, I see no reason to concur with the District Magistrate in considering that the prosecu--tion maybe dropped and therefore request that you will be so - good as to obtain the sanction of the Government for the prose--cution of Panduranga Rao, the father of the bride for a breach of the provisions of the Infant Marriages Prevention Regulation. The District Magistrate's letter together with the records --- connected with the case is herewith forwarded.

The Inspector s conduct regarding the long--- delay in the closing of the case will be noticed on receipt -- of the orders of Government in the case.

I have the honor to be,

Sir,

Your most obedient servant,

Inspector General of Police.

KM

Nepo 36

1903

From H. Kamaraja Ayyangar Esqr
Deputy Commissioner of Coorg
Chitaldrug

18 DEC 1903

To C. Madhava Rao Esqr, Rao Bahadur
Inspector General of Police in
Mysore
Bangalore

Dated 13th

Despatched 13th December 1903

Received

General No. 450
No.

Enclosure No. 1 File

Forwarding the Police records relating to a case of Infant Marriage reported to have been celebrated in the village of Nagasandra in the Molakal-muru Taluk.

Copied in Letters

Office of the District Magistrate
Chitaldroog District

Dated 9th December 1903

From H. Ramanuja Iyengar Esquire
District Magistrate
Chitaldroog District

To
C. Madaiah Esquire, Rao Bahadur
Inspector General of Police
in Mysore, Bangalore

Sir,

I have the honor to forward herewith the Police records connected with the case of an infant marriage reported to have been celebrated in the village of Nagavandra in the Molcalmuru Taluk, on the 21st June 1900. The age of the bride Lakshmamma was stated to be about 6 years but no evidence was forthcoming to prove this beyond the oral testimony of the Panchayatdars and the Shanbhogue of the village who supposed her age to be between 5 and 6 years.

2. An order was issued to the Amildar of Molcalmuru on 27th September 1900, to obtain the horoscope of the girl as also

Extracts

Extracts from the Birth and Death Register to prove her exact age and to collect such further evidence as may be necessary in the matter. She girl is Stated to have been born in the Kambadur Village of the Kallayanadrooga Taluk, in the British Territory.

3. It would seem that the requisitions made to the Authorities of the Kallyanadroog Taluk for furnishing the extract from the Birth & Death Register were not Complied with and that the efforts of the Police to obtain the original horoscope of the girl also proved fruitless

4. The oral testimony that may be available as to the exact age of the girl Cannot well be relied upon especially after such a lapse of time and in the absence of any documentary evidence on that point, the Case cannot be expected to Stand

5. I therefore Consider that the matter had better be dropped

6. As regards the inordinate delay on the part of Ismail Khan, Inspector of the Hoskotta Taluk in having kept back the

the record of such an important matter like this from the 27th September 1900 till — questioned by me on the 25th May 1903, when I was in the Yacht on a visit of inspection, deserves to be noticed. His explanation in the matter will be found among the Police papers herewith forwarded.

I have the honor to be
Sir,
Your most obedient Servant

F. Wallis Simpson
District Magistrate
Chittagong District

Ll

9

Read:—

Letter No. 4521/274 dated 2nd February 1904 from the Inspector General of Police, reporting that on the 21st June 1900, an infant girl aged about 6 years named Lakshamma, daughter of Pandurangu Rao, was married to one Sreenivasarayya at Nagasandra in the Malakalmuru Taluk, and recommending the prosecution of Pandurangu Rao for an offence under the Infant Marriages Prevention Regulation.

11 Apr 2

No. 1618-19 dt 12th Feb 04

Order thereon:—

The Government Considers it inexpedient to direct the prosecution of the father of the bride nearly four years after the date

of the Marriage

2. That H.M. might be informed that, as he is the authority who would have had to try the case, it was improper on his part to have expressed an opinion on the case when writing to the Inspector General of Police.

3. That great delay in investigating this case is discreditable and the notice taken by the Inspector General, & the conduct of the Inspector responsible for it should be reported for the information of Government. Such notice should be as exemplary & as effective

Would be a model for the H.P. Bill now in progress & are pending and even when

Offg Secy

To The Inspr Genl of Police, returning the Enclosures of Mr Jones Thirtadroog &c

No 6532/-396 Sl No 3

Office of the

Inspector General of Police in Mysore.

Dated Bangalore, 28th April 1904.

3—5

From,

F.E.C. Carr Esquire.,

Inspector General of Police in Mysore.

To,

L. Anantasami Rao Esquire., B.A.,

Offg. Secretary to the Government of His Highness the Maharaja of Mysore in the General and Revenue Departments.

Sir,

Para 3 of Government Proceedings No. 1618-19/J dated the 12th February 1904 stating that the great delay in investigating the Nagasandra Infant Marriage case of the Molakalmuru Taluk, is discreditable, and that the notice taken of the conduct of the Inspector who is responsible should be reported to Government.

I have the honor to forward herewith copies of docket No. 816 dated 5th April 1904 from the Deputy Commissioner, Chitaldroog, and of the Assistant Superintendent's Memo received therewith explaining in detail the cause of delay. I consider the explanation of the Inspector's conduct as most unsatisfactory. He will be fined ₹10/- for this most disgraceful procrastination.

I have the honor to be,

Sir,

Your most obedient servant,

F.E.C. Carr

Inspector General of Police.

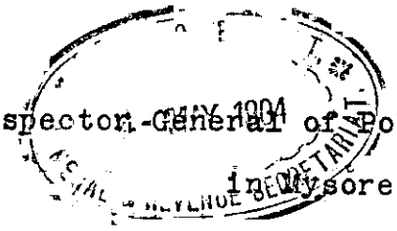
LL

J. 1660

1903-04.

From,

The Inspector-General of Police
in Mysore.



To,

The Secretary to the Government
of H.H. the Maharaja of Mysore
in the General and Revenue
Departments.

Dated 28th

Despatched 3- April 1904.

Received 5

General No. 6532/396
No.

Enclosure No. 2

Reporting that the Inspector of the Molakalmuru Taluk is fined Rs: 10/- for the great delay in investigating the Nagasandra Infant Marriage case.

Encls to No 3 10

1904.

From,

H. Ramanuja Iyengar Esquire.,

Deputy Commissioner,

Chitaldroog District.

To,

F.E.C. Carr Esquire.,

Inspector General of Police in Mysore.

Dated 5th April 1904.

No. 816 Enclosure No. one Memo.

His No. 5086/412 dated 20 hh February 04 forwarding copy of Government Proceedings No. 1618-19/J dated 12th February 04 and requiring a detailed Memo showing the cause of the dalay in the investigation of the case.

With reference, to the above, has the honor to forward herewith a Memo drawn up by the Assistant Superintendent of Police and to state that Inspector Ismail Khan states in his explanation that he made several requisitions to the Kalyandrug Inspector to furnish information relating to the age and date of birth of the/~~gr~~ girl bride but none of them was complied with. Though the Inspector was unable to furnish the numbers and dates of the several requisitions he reports to have made to the Kalyandrug authorities, yet there seems to be no doubt that the want of Co-operation on the part of the Kalyandrug Taluk Police Officers contributed largely to the failure of justice that has occurred in the case. If the Inspector had promptly brought this dilatory conduct of these Officers to the notice of higher authorities, some more ~~efficient~~ effective steps would no doubt have been taken in the matter. The Inspector has been transferred since

transferred to the Shimoga District.

Sd/ Md Zahiruddin Meccai

For Deputy Commissione

Chitaldroog District.

"Copy"

Inspector General of Police.

Memo showing the cause of the delay in the investigation of the Infant Marriage case of the Nagasandra village of the Molakalmuru Taluk.

1. The Shanbhogue of the Nagasandra village reported on the 25th June 1900 to the Molakalmuru Amildar, that on the 21st June 1900, one Pandurangá Rao Shanbhogue of the Guddadahalli Firka had married his daughter aged about 5 years to Guruvénkatachar's son aged about 10 years, in the Nagasandra village. The Amildar Mr. C. Krishnamma Naidu referred this report on the 25th June 1900 to the Police for enquiry and report.

2. Jamedar Padmanabha Rao after needful enquiry submitted a report to the Amildar on the 29th June 1900 stating that the bride having been born in Kambdur village of the Kalyandrug Taluk and the bridegroom in Chitaldroog, the horoscopes of the parties and extracts from the Birth and Death Registers relating to them may be procured

3. Inspector Ismail Khan thereupon wrote to the Chitaldroog Amildar on the 29th June 1900 and reply was received from the latter on the 11th August 1900, that no information regarding the date of birth of the bridegroom was forthcoming there, though a search was made in the Birth and Death Register of the town for a period of one year including the date given by the father of the boy nor was his horoscope forth-coming.

4. A similar Yadi was written on the 2nd August 1900 to the Rayadurga Inspector, in which the latter was requested to send one Narasimhachar who acted as Purohit on the side of the bride, with a view to ascertain the age of the latter. The Rayadurga Inspector in his reply dated the 7th August 1900 stated that if a summons in duplicate were sent to him, the same would be served on the Purohit. No information is forthcoming in the record to show if any such summonses were issued, nor does it appear if any statement of Narasimnachar was ever recorded.

5. Another Yadi dated the 12th August 1900 was written to the

Police

Police Inspector of the Kudligi Taluk, requesting that as the bridegroom was reported to be the adopted son of one Seenappa resident of Somanahalli of the Kudligi Division, the person who acted as Purohit on the side of the boy, might be ascertained and sent over to Molakalmuru, so that the age of the bride might be ascertained from him. The Kudligi Inspector in his No Nil dated the 14th August 1900 stated that Shama Char appeared to be the Purohit referred to and that he had gone to Harapanahalli to one Gopal Rao there. The presence of Shama Char seems to have been procured and his statement recorded on the 16th August 1900, but no definite information was given by him about the age of the girl.

5. A detailed report enclosing all the records was then submitted by the Amildar to the District Magistrate on the 8th September 1900 which was forwarded to the District Police Office on the 13th September 1900 for needful being done.

7. The record was again forwarded to the Taluk Amildar by Mr. Y.V. Krishna Murthi with No. 656 dated the 27th September 1900 stating that the horoscope of the bride, and extract from the birth and death register showing her age should have been forwarded; a failure to do so was the cause of unnecessary correspondence and that if no entry had been made in the birth and death register about the bride's birth the explanation of the Patel responsible therefor should be obtained and forwarded and further evidence procured about the age of the girl, and the record resubmitted.

8. The record was recived in the Taluk on the 9th October 1900 and a Yadi No. 295 dated the 16th October 1900 was written to the Kalyandurg Taluk Inspector. But no information seems to have been received from the latter and no further reference seems to have been made by the Taluk Inspector on the subject from the 16th October 1900 to the 25th May 1903 when the present correspondence arose

9. The Inspector in his explanation states that his requisitions to the Kalyandurg Taluk Officers for extracts from the

Birth

Birth and Death Register regarding the age of the girl were not complied with. But this explanation is not quite satisfactory, in as much as it was his duty to have submitted a report when no reply was received from the Kalyandurg Taluk.

Sd/ Md Zahiruddin Maccai.
Assistant Superintendent of
Police, Chitaldroog District.

"Copy"

Inspector General of Police.

LL

S(Ho A

Read:—

Letter No 6532
3-36
dated the 28th April 1904,
from the Inspector General
of Police, reporting with
reference to para 8 of
Govt order No 1618-19
dated the 12th February
1904, that the Police
Inspector, Ismail Khan
of the Holakere
-muru Taluk, who is
responsible for the great
delay in investigating
the case of infant
marriage that took place
on the 21st June 1900 at
Nagasandra in the Holakere
-muru Taluk, will be
fined Rs 10/-, as the
explanation of the
Inspector's conduct is
most unsatisfactory.

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order thereon:—

Recorded

12/5/04
offg. Secretary

To the Inspector General of Police in

24
13.5.04

10.V.04

Issued 12/5